

LAWLER, METZGER & MILKMAN, LLC

2001 K STREET, NW
SUITE 802
WASHINGTON, D.C. 20006

REGINA M. KEENEY

PHONE (202) 777-7700
FACSIMILE (202) 777-7763

May 17, 2004

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WT Docket No. 02-55
Ex Parte Presentation

Dear Ms. Dortch:

On Friday, May 14, 2004, Robert S. Foosaner, Senior Vice President, Nextel Communications, Inc. ("Nextel"), met with Bryan Tramont, Chief of Staff to Chairman Michael Powell, regarding the Commission's above-captioned rulemaking on public safety communications in the 800 MHz band. During the meeting, Mr. Foosaner emphasized the urgent need to resolve CMRS – public safety interference in the 800 MHz band as expeditiously as possible, and discussed how the Consensus Plan and the assignment of replacement spectrum at 1.9 GHz to Nextel would achieve that goal. He also explained why 2.1 GHz spectrum is not an acceptable substitute for the 1.9 GHz band as replacement spectrum for Nextel.

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Sincerely,

/s/ Regina M. Keeney
Regina M. Keeney

cc: Bryan Tramont